

TIGARD CITY COUNCIL  
MEETING  
NOVEMBER 9, 2004 6:30 p.m.  
TIGARD CITY HALL  
13125 SW HALL BLVD  
TIGARD, OR 97223



#### PUBLIC NOTICE:

Anyone wishing to speak on an agenda item should sign on the appropriate sign-up sheet(s). If no sheet is available, ask to be recognized by the Mayor at the beginning of that agenda item. Citizen Communication items are asked to be two minutes or less. Longer matters can be set for a future Agenda by contacting either the Mayor or the City Manager.

Times noted are estimated; it is recommended that persons interested in testifying be present by 7:15 p.m. to sign in on the testimony sign-in sheet. Business agenda items can be heard in any order after 7:30 p.m.

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A  
TIGARD CITY COUNCIL BUSINESS MEETING  
NOVEMBER 9, 2004

6:30 PM

- STUDY SESSION

- > DISCUSSION OF DECEMBER COUNCIL MEETING SCHEDULE
- > DISCUSSION OF 5<sup>TH</sup> TUESDAY COUNCIL DATE

7:30 PM

- 1. BUSINESS MEETING

- 1.1 Call to Order - City Council & Local Contract Review Board
- 1.2 Roll Call
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports
- 1.5 Call to Council and Staff for Non-Agenda Items

- 2. CITIZEN COMMUNICATION (Two Minutes or Less, Please)

- Tigard High School Student Envoy Nikki Pham
- Tigard Area Chamber of Commerce, Dan Murphy

- 3. CONSENT AGENDA: These items are considered to be routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:

- 3.1 Approve Council Minutes for October 19, 2004
- 3.2 Receive and File
  - a. Council Calendar
  - b. Tentative Agenda
- 3.3 Appoint Planning Commission Members: Resolution No. 04-\_\_\_\_
- 3.4 Approve GSA Per Diem for Council and Executive Staff: Resolution No. 04-\_\_\_\_
- 3.5 Approve Budget Amendment #4 To Increase Appropriations for Funding of a Firewall for the City's Computer Network: Resolution No. 04-\_\_\_\_
- 3.6 Local Contract Review Board
  - a. Award contract for HVAC Maintenance Services: Resolution No. 04-\_\_\_\_

- Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council has voted on those items which do not need discussion.

4. UPDATE ON YOUTH ADVISORY COUNCIL & YOUTH FORUM

- Staff Report: Administration

5. OREGON DEPARTMENT OF TRANSPORTATION HALL BOULEVARD/MATT GARRETT

- Staff Report: Gus Duenas, Engineering

6. PUBLIC HEARING (QUASI-JUDICIAL) TO CONSIDER ZONE CHANGE ANNEXATION (ZCA) 2004-00002 ALPINE VIEW ANNEXATION

**REQUEST:** The applicant is requesting to annex four (4) parcels of land containing 8.69 acres into the City of Tigard. **LOCATION:** Washington County Tax Assessor's Map Numbers 2S109AB, Tax Lots 700, 800, 900 and 1000. **ZONE:** R-7: Medium-Density Residential District. The R-7 zoning district is designed to accommodate attached single-family homes, detached single-family homes with or without accessory residential units, at a minimum lot size of 5,000 square feet, and duplexes, at a minimum lot size of 10,000 square feet. Mobile home parks and subdivisions are also permitted outright. Some civic and institutional uses are also permitted conditionally. **APPLICABLE REVIEW CRITERIA:** The approval standards for annexations are set out in Community Development Code Chapters 18.320 and 18.390, Comprehensive Plan Policies 2 and 10; ORS Chapter 222; and Metro Code Chapter 3.09.

- Open Public Hearing
- Declarations or Challenges
- Staff Report: Community Development Department
- Public Testimony
  - Proponents
  - Opponents
  - Rebuttal
- Staff Recommendation
- Council Discussion
- Close Public Hearing
- Council Consideration: Ordinance No. 04 - \_\_\_\_\_

7. ELECTION RESULTS

- Staff Report: Administration

8. COUNCIL LIAISON REPORTS

9. NON AGENDA ITEMS

10. ADJOURNMENT

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COUNCIL MINUTES  
TIGARD CITY COUNCIL MEETING  
October 19, 2004

1. TOUR PERMIT CENTER REMODEL PROJECT

Loreen Mills, Risk Management, briefly reviewed the layout of the building and where each department will be located. During the tour, Ms. Mills pointed out the need to run new power lines into the building in order to provide power for phones and computers for 60 employees to be located in the building. She explained there is a budget amendment scheduled for the Council's October 26 meeting for the additional work to bring power to the building as well as hire licensed personnel to install the wiring for phones and computers.

2. BUSINESS MEETING

- 2.1 Call to Order - City Council
- 2.2 Roll Call
- 2.3 Pledge of Allegiance
- 2.4 Council Communications & Liaison Reports

> NW Medical Team's Dinner

Liz Newton, Assistant to the City Manager, noted the NW Medical Team has 1) relocated its International Headquarters to Tigard and 2) in recognition of its 25<sup>th</sup> anniversary, is holding a special dinner November 6.

Councilor Sherwood indicated she would attend the dinner on November 6.

> Annual Employee Benefits Fair, October 20, 11 a.m. to 3 p.m.

Ms. Newton invited Councilors to attend the Benefits Fair.

> LOC Annual Conference

Councilor Sherwood indicated she would be attending the LOC Annual Conference.

> ADMINISTRATIVE ITEMS

a. Calendar Review

- October 26: City Council Business Meeting – 6:30 pm
- November 2: Election Day
- November 4-6: LOC Conference – Marriott Hotel Downtown Portland
- November 9: City Council Business Meeting – 6:30 pm
- November 11: Veterans Day - City Hall Closed
- November 16: City Council Workshop Meeting – 6:30 pm
- November 23: City Council Business Meeting – 6:30 pm
- November 25: Thanksgiving - City Hall Closed
- November 26: City Hall Closed
- November 29-December 4: National League of Cities Conference- Indianapolis

2.5 Call to Council and Staff for Non Agenda Items

Mayor Dirksen noted the receipt of correspondence from John Frewing, 7110 SW Lola Lane, concerning some issues regarding the annexation of the East Metzger area in 1987. He noted Mr. Frewing's letter would be forwarded to the appropriate staff to review the concerns.

3. CONSIDERATION OF A RESOLUTION OPPOSING STATE BALLOT MEASURE 37

a. Staff Report

Ms. Newton noted she had prepared the proposed resolution as directed by Council after Alice Ellis Gaut had requested the Council on October 12 to go on record in opposition to Ballot Measure 37 because the financial impacts on Tigard would be catastrophic. After meeting with Mayor Dirksen, she had prepared the resolution distributed to Councilors on October 15.

b. Public Comment

Alice Ellis Gaut thanked the Council for proposing the resolution and urged its adoption.

Lisa Hamilton-Treick indicated she supported the resolution as well.

c. Council Discussion

Councilor Wilson noted the opinion written by former Representative Bob Smith in the Eugene Register-Guard (Agenda Item No. 3, Exhibit 1) in which Mr. Smith discussed the history of land use laws in Oregon, beginning with Senate Bill 100, and the issue of compensation to owners. Mr. Smith is supporting passage of Measure 37. SB 100 created a committee to recommend a program to compensate landowners for regulations that took their property, but the committee was never able to make any recommendations to the Legislature regarding the compensation provisions, so the vital component was never addressed. Measure 7 was passed by voters four years ago. There has been a wake-up call to the legislature they needed to address this omission, but again, nothing has been done through the years. As a result, Measure 37 was drafted by "Oregonian's in Action." There is a good chance the voters will pass the measure. While Bob Smith supports passage of Measure 37, he is opposed as it will gut the land use system in Oregon. He had some problems with the draft resolution. As a result, he had written a revised resolution for Council's consideration (Agenda Item No. 3, Exhibit 2) which was distributed to Councilors and members of the audience.

Councilor Moore noted he personally had a problem with the Council taking a stand on any ballot measure because it is up to the voters to make up their own mind on how they wanted to vote.

Councilor Sherwood asked what the history has been on the City taking a stand on statewide ballot measures. Ms. Newton said Council took a stand on a measure during Mayor Edward's term of office.

Councilor Moore concurred Council had discussed taking positions in the past, but he personally feels uncomfortable advocating for or against a ballot measure.

Councilor Woodruff noted that there will be impacts of Metro Goal 5 on citizens of Tigard. Maybe if a measure has direct financial impacts on the City, then City should let the voters know what the impacts are, but not advocate one way or the other. He noted he had some concerns with some of the wording in the original resolution. He felt Measure 37 should have been a wake-up call to the legislature to address this issue.

Councilor Sherwood said she felt comfortable advocating voters of Tigard vote in opposition to this ballot measure, because of the financial impacts the measure would have on the City and that the resolution urges the State Legislature to address this issue.

Councilor Moore explained he was uncomfortable suggesting the 45,000 residents of the City vote a specific way. At Council meetings, he votes the way he feels would benefit the City's 45,000 citizens. He is very concerned about the rights of each citizen to vote their own conscious at the ballot box. He could support a resolution which outlines the impacts a measure would have on the citizens and the city. After a quick review of Councilor Wilson's proposed resolution, in Section 1, he would delete the words "and vote No on Measure 37," so that it would read "The Tigard City Council urges all Tigard residents to study the measure and its impacts." There would need to be other changes relating to the word "oppose" in the resolution. He suggested in the future, if Council was going to advocate for a State Ballot Measure, the resolution needed to be started earlier in the election process.

Alice Ellis Gaut requested that the public comment period be reopened to allow public comment about Councilor Wilson's proposed resolution. The Council concurred.

Ms. Ellis Gaut indicated she was concerned with preserving the land use law regulations. She understood Councilor Moore's personal concern that Council should not endorse measures in general, but this measure could have such a detrimental impact on Tigard, she felt the City needed to relay the effects the measure would have on the City. She supports the draft resolution as written by staff.

Gretchen Buehner noted she had reviewed both the resolutions proposed by staff and Councilor Wilson. She felt it would be wise for Council to address the issue of the damage this measure would have on the city as a whole. Both resolutions would do that. There will be impacts on the average John Q. Citizen if this measure is approved by the voters. She would urge all citizens to vote "no" on Ballot Measure 37. It would be wise for Council to address the impact question, as the regulations will negatively affect a lot of citizens. Many people do not understand the ballot measure.

Councilor Moore stated if the City were going to do something, it should have been done in September. He felt it was too late to take a stand two weeks before the election date to make much a difference. He has already voted and returned his ballot.

Ms. Newton indicated she could try to put together a revised resolution for consideration at the October 26 Council meeting.



The Council discussed the proposal, and there was unanimous concurrence by the Council that it would really be too late to try to influence voters, and would therefore not consider either of the resolutions at this time or at the next Council meeting. In the future, if Council wants to adopt a position on a ballot measure, it would need to be done earlier in the process, not a couple of weeks before the election.

\*At the end of the meeting, Councilor Woodruff indicated he had prepared some language which the Council might consider. The Council concurred that they would not take any action on a resolution to oppose or support Ballot Measure 37.

### WORKSHOP MEETING

#### 4. JOINT MEETING WITH THE SENIOR CENTER BOARD

##### Staff Report

Karen Gardner, Executive Director of the Tigard Senior Center presented her staff report which included a PowerPoint presentation (See Agenda Item #4, Exhibit 1 for copy of PowerPoint slides) about the Center's operation, programs, volunteer program, work being done on a Community Development Block Grant application to improve the Center between 2005 and 2010, and their outreach program. In addition to the PowerPoint slides, Ms. Gardner distributed copies of the October activity calendar (Agenda Item #4, Exhibit 2) and the brochure entitled "Food for Thought" for October, that is distributed by Loaves & Fishes Center for the Tigard Center edition available in both English and Spanish (Agenda item #4, Exhibit 3).

The following are major points Ms. Gardner included in her presentation:

- The Center serves not only the City of Tigard, but also seniors living in King City, Metzger and Progress areas.
- Meals on Wheels are delivered to both homebound residents and at the Center. When the restaurant closed in the Wells Fargo Tower, all the restaurant fixtures, including tables and chairs, steam tables, dishes, glassware, cutlery, etc., were donated to Loaves and Fishes, and the Tigard Senior Center received tables and chairs.
- There is an "English as a Second Language" (ESL) program operated at the Center in cooperation by Portland Community College, serving mainly Hispanic and Asians.
- The Center is staffed by volunteers, with over 13,000 hours donated last year. These services provided included operating the gift shop, delivering meals, and so many other areas.

- At a recent geriatric conference she attended, she received information to indicate people are going to live longer, which means more services are going to be needed by the elderly for a longer period of time. Service operations need to change to address the needs of seniors.
- She described the Center's outreach program they operate, in an effort to reach more seniors in their service area.
- The CDBG grant they are applying for was reviewed. The staff is not sure how the proceeds will exactly be used, but would probably be used to remodel the kitchen/dining room, or possibly construct an addition to the building.
- There will be a need for citizen's to be involved during the long range planning component, there is always a need for more volunteers to help on the various programs the Center operates as well as financial donations are always welcome.

The following Board members described their involvement with the Center: Corrie Stalk, Bill Gerkin, Kris McGoran, Arthur Davis, and Mary Ellen Seeger.

Councilor Sherwood indicated she would be willing to work on the CDBG grant application with Ms. Gardner. She was very surprised by the quality of the food, and the warm inviting atmosphere of the Center itself.

Ms. Mills concurred with the excellent quality of the food.

Councilor Woodruff complimented Ms. Gardner on the operation, but indicated this presentation should have been made at a regular Business Meeting in order to have the presentation televised.

## 5. BRIEFING ON METRO PROPOSAL FOR MANDATORY BUSINESS RECYCLING

- Staff Report

Tom Imdieke, Financial Operations Manager, presented an update on the recycling program businesses are required to use in the Metro region. This program is intended to reduce the amount of solid waste going to the landfill as a result of recycling. The region's recovery rate for 2002 was 54%; the goal for 2005 is 62% recovery rate and an increase to 64% recovery rate by 2009. This is for residential and business recycling programs. Tigard has implemented a mandatory recycling program in 1996 patterned after the City of Portland's program, with a goal of recycling up to 50%. The City works with haulers to monitor and implement the recycling program. Fees for violations range between \$500 and \$5,000.

Mr. Imdieke distributed a handout entitled "Recommended Practices Being Considered by Metro" (Agenda Item No. 5, Exhibit 1), which details the various programs Metro is considered.

Councilor Sherwood noted restaurants, caterers and grocery stores in the past had been sending perishable foods to a depository to be used at food shelters, but by the time the food was received, the food had gone bad and had to be put in the garbage by the depository. The only thing that was being done was to move the disposal of the food from the original source to the depository which was adding to the depository cost of their garbage.

Councilor Woodruff asked how Tigard businesses compared to the 54% recovery rate on a regional basis.

Mr. Imdieke replied Tigard is on target with the rest of the region. He routinely receives information from the haulers on the amount of material that has been recycled.

Councilor Wilson asked if manufacturers are using plastics that are recyclable. Mayor Dirksen concurred that some of the plastics used by manufacturers are not recyclable.

Mr. Imdieke stated the region is working with many manufacturers to address this concern.

Councilor Wilson stated new packing peanuts are being used that are completely degradable. He recently received a package with the new packing peanuts; he tried an experiment of putting water on the peanuts which dissolved the peanuts and the residue could just be washed away.

Mayor Dirksen recessed the meeting for a short break at 8:19 p.m.

Mayor Dirksen reconvened the meeting at 8:25 p.m.

## 6. POTENTIAL PROJECTS FOR THE MSTIP TRANSPORTATION CAPITAL PROGRAM

- Staff Report

Gus Duenas, City Engineer, presented the staff report which included a PowerPoint presentation concerning potential MSTIP Transportation Capital Program projects (Agenda Item No. 6, Exhibit 1), copy on file with the City Recorder. During the current MSTIP-3 program, Tigard and Tualatin submitted 2 projects, Beaverton

submitted 1 project, and the rest of the projects were for other cities and the rest of the unincorporated area. Washington County Board of Commissioners is now soliciting applications for the MSTIP-4 funding cycle. They are looking at \$5,287,000 for this six-year period. Municipalities have until October 29 to submit their requests, and the County Coordinating Committee will make their decision on the applications on November 15, so this is a very fast-track system.

Mr. Duenas then reviewed each of the proposed projects that had been identified, photos shown of the area, and costs identified. The proposed project list included:

- Walnut Street (Tiedeman Avenue to 121<sup>st</sup> Avenue)
- Greenburg Road (Shady Lane to Tiedeman Avenue)
- Burnham Street (Main Street to Hall Boulevard)
- 72<sup>nd</sup> Avenue (Beveland Street to Dartmouth)
- 121<sup>st</sup> Avenue (Rose Vista Drive to Tippit Place)
- Scoffins/Hunziker/Hall Intersection Realignment and Signalization
- Greenburg Road/Highway 99W/Main Street Intersection Improvements

Mr. Duenas also answered questions from Councilors during his presentation. Staff recommended forwarding the following projects for Council consideration on October 26.

- Walnut Street (Tiedeman Avenue to 121<sup>st</sup> Avenue) - \$1,700,000
- Greenburg Road (Shady Lane to Tiedeman Avenue) - \$1,500,000
- Burnham Street (Main Street to Hall Boulevard) - \$2,100,000

Mr. Duenas stated an alternative or additional project is:

- Greenburg Road/Highway 99W/Main Street Intersection Improvements - \$2,250,000

Following additional discussion, The Council concurred to place the recommended list of projects on the Council's October 26, Business Meeting for approval.

Councilor Wilson noted there had been a bridge over a ravine near the Progress Quarry, which were constructed rapidly using pre-constructed arches. He asked Mr. Duenas to look into that type of bridge.

## 7. COMMUNICATION PLAN UPDATE

- Staff Report

Liz Newton, City Administration, stated the staff report was included in the Council Newsletter on October 15, in which she reviewed the City's Communication Program. Responses in the Vision Task Force survey indicated the different ways

residents kept informed about what is happening in the City. Staff has been considering a change in the City Newsletter, "Cityscape," to include a column titled "Heads Up," which will highlight issues that will be started in about one to two months away, so citizens can be on the look-out for additional information about issues. Some issues identified so far include the Metro excise fee and the comprehensive plan review process. If interested, citizens can then find a way to get involved in an issue. Ms. Newton noted that the survey results indicated that between 6 and 7% of the citizens use the city website as a source of information. There continues to be a core audience watching council meetings on cable television.

Ms. Newton stated there has been a proposal for an Enhanced Community Connector/Citizen Involvement Program for the City. The Community Assessment Program (CAP) is concluding its second year of operation. She then showed a map showing the 40-plus CAP areas in the city, which was taken from the police grids. The idea for each area is that each shares some commonality, such as a school, major street, park, commercial area, etc. Each week, staff is assigned to walk through several of the areas, talking with citizens and observing situations which need to be addressed. There is a proposal to incorporate representatives from each area in the CAP program into the Citizen Involvement program.

Ms. Newton noted areas with schools have a link to the surrounding neighborhood area. As a property owner without children attending school (Fowler Middle School), she personally understands the impacts schools have on neighborhoods. For her, the issue is transportation system and the problems on Walnut. Other neighborhoods, such as the one surrounding Cook Park or a major commercial area, have situations unique to their neighborhood. There is intent to have citizens from each neighborhood participate in the CERT program, who would help their neighbors during an emergency, until the trained emergency personnel could respond.

Ms. Newton explained the Vision Task Force had proposed the Enhanced Community Connector/Citizen Involvement Program and this proposal is on their meeting agenda on November 18. They feel the program needs to be enhanced as soon as possible in order to be in place by the time the City begins the comprehensive plan revision process.

Councilor Sherwood noted Council has discussed this proposal at the Strategic Planning meeting.

Ms. Newton asked if Council agreed to the concepts as outlined in her memo so that it can be forwarded to the Vision Task Force on November 18.

The Council concurred with the proposal.

> ADDITIONAL DISCUSSION CONCERNING BALLOT MEASURE 37

Councilor Woodruff indicated he had written additional language regarding the resolution opposing Ballot Measure 37 and asked Council if they were interested in hearing his proposal.

Mayor Dirksen asked if the Council was interested; no one indicated they were interested in further discussing the proposed resolution.

> DISCUSSION CONCERNING THE FIFTH TUESDAY CITIZEN FORUM

Councilor Sherwood noted the Council had discussed holding an open citizen forum during months with a fifth Tuesday, no staff would attend except for the person recording the meeting. The first month with five Tuesdays is November. Council indicated they would like to try this on November 30. She did not want citizens to be yelling at the Council.

Councilor Moore stated he was concerned this not just be a griping session, but would be offering suggestions and bringing new ideas.

The Council concurred to schedule the first Citizen Forum on November 30, 7 p.m. at the Tigard Town Hall (or other location if the Town Hall is not available due to construction). No decisions would be made, and the Deputy City Recorder would take notes.

Councilor Sherwood asked if this would conflict with anyone's attendance at the National League of Cities. It was determined that Councilors were not scheduled to leave until Wednesday, so this would not interfere with the forum.

Councilor Moore asked who would be able to participate. The Council concurred this would be an open forum for residents of Tigard only.

8. COUNCIL LIAISON REPORTS

9. NON-AGENDA ITEMS

10. ADJOURNMENT

Councilor Woodruff moved, seconded by Councilor Sherwood, to adjourn the meeting, and motion passed unanimously, and the meeting was adjourned at 9:27 p.m.

  
Jane McGarvin, Deputy City Recorder

Attest:

\_\_\_\_\_  
Mayor, City of Tigard

Date: \_\_\_\_\_

# MEMORANDUM

## Administration



TO: Honorable Mayor and City Council

FROM: Joanne Bengtson

Agenda Item No. 3.2a  
Meeting of 11/9/04

DATE: November 3, 2004

SUBJECT: Three-Month Council Calendar

Regularly scheduled council meetings are marked with an asterisk (\*).

### November

11 Thursday Veteran's Day – City Hall Closed  
16\* Tuesday Council Workshop Meeting – 6:30 pm, Town Hall  
23\* Tuesday Council Business Meeting – 6:30 pm, Town Hall  
25 Thursday Thanksgiving – City Hall Closed  
26 Friday Day after Thanksgiving – City Hall Closed  
30 Tuesday Fifth Tuesday – 6:30 pm, Water Building Auditorium

### December

1-4 Wed.-Sat. National League of Cities Conference – Indianapolis, Indiana  
14\* Tuesday Council Business Meeting – 6:30 pm, Town Hall  
21\* Tuesday Council Workshop Meeting – 6:30 pm, Town Hall  
24 Friday Christmas Eve – City Hall Closed to observe Christmas Day  
28\* Tuesday Council Business Meeting – 6:30 pm, Town Hall  
31 Friday New Year's Eve – City Hall Closed to observe New Year's Day

### January

11\* Tuesday Council Business Meeting – 6:30 pm, Town Hall  
17 Monday Martin Luther King Holiday – City Hall Closed  
18\* Tuesday Council Workshop Meeting – 6:30 pm, Town Hall  
25\* Tuesday Council Business Meeting – 6:30 pm, Town Hall



<b>Meeting Date:</b>	<b>November 16, 2004</b>	<b>Meeting Date:</b>	<b>November 23, 2004</b>	<b>Meeting Date:</b>	<b>December 14, 2004</b>
<b>Meeting Type/Time:</b>	Workshop/6:30 p.m.	<b>Meeting Type/Time:</b>	Business/6:30 p.m.	<b>Meeting Type/Time:</b>	Business/6:30 p.m.
<b>Location:</b>	City Hall	<b>Location:</b>	City Hall	<b>Location:</b>	City Hall
<b>Greeter:</b>	n/a	<b>Greeter:</b>	Jim	<b>Greeter:</b>	
<b>Materials Due @ 5:</b>	November 2, 2004	<b>Materials Due @ 5:</b>	November 9, 2004	<b>Materials Due @ 5:</b>	November 30, 2004
<b>Bid Opening Deadline:</b>	November 1, 2004	<b>Bid Opening Deadline:</b>	November 8, 2004	<b>Bid Opening Deadline:</b>	November 29, 2004
<b>Scan Deadline @ noon:</b>	October 29, 2004	<b>Scan Deadline @ noon:</b>	November 5, 2004	<b>Scan Deadline @ noon:</b>	November 26, 2004
<b>Req to Sched Due @5:</b>	October 15, 2004	<b>Req to Sched Due @5:</b>	October 22, 2004	<b>Req to Sched Due @5:</b>	November 12, 2004
<b>Televised:</b>	No	<b>Televised:</b>	Yes	<b>Televised:</b>	Yes
<b>Attorney Attends:</b>	No	<b>Attorney Attends:</b>	No	<b>Attorney Attends:</b>	Yes
		Study Session		Study Session	
Update on Tree Board Tree Program - Dan, Matt Stine - 15 min *Planned Development Review Committee Update(Planning Commission to attend) - ? City-TRIMET MOU Progress Report with Olivia Clark - Jim - 30 min  Report & Discuss Results with Downtown TF from Downtown Imp Plan Community Dialogue events - Barbara - 30 min Skate Park Update - Dennis - 30 min		*TVTV Contract Review with City Rep Ken Scheckla /Gary Ehrenfeld *Forest Deferral Amendment Process		Exec Session - Pending Litigation - Loreen - 15 min	
		Consent Agenda		Consent Agenda	
		R & F: Canvass of Votes for Mayor and City Councilors and for Ballot Measure ? from November 2 Election - Liz (or 12/14)			
		Business Meeting		Business Meeting	
		State Senator/Representative - 45 min *Formation of Sewer Reim District #32 - Eng. *Formation of Sewer Reim District #33 - Eng. Updated Parks SDC Methodology - PHL - Dennis - 10 min *Comprehensive Plan Update Process Discussion - Jim H		Quarterly Water Supply Update - Joint Meeting w/ the Intergovernmental Water Board - PPT - Dennis - 20 min Bull Mt Election Adoption - PH - RES - Jim - 30 min Adopt Parks SDC Methodology & Rates - MOTION - Dennis Code amendment to allow bulk sales in the IP (Industrial Park) zone - Jim H - 15 min Revised City/TriMet - MOU - Duane - 5 min *Long Range Planning Fees - Jim H *Arbor Heights Annexation	

Agenda Item No. 3.2b  
Meeting of 11/9/04

**Tigard City Council Tentative Agenda 2004**

<b>Meeting Date:</b> <b>Meeting Type/Time:</b> <b>Location:</b> <b>Greeter:</b> <b>Materials Due @ 5:</b> <b>Bid Opening Deadline:</b> <b>Scan Deadline @ noon:</b> <b>Req to Sched Due @5:</b> <b>Televised:</b> <b>Attorney Attends:</b>	<b>December 21, 2004</b> <b>Workshop/6:30 p.m.</b> <b>City Hall</b>  <b>December 7, 2004</b> <b>December 6, 2004</b> <b>December 3, 2004</b> <b>November 19, 2004</b> <b>No</b> <b>No</b>	<b>Meeting Date:</b> <b>Meeting Type/Time:</b> <b>Location:</b> <b>Greeter:</b> <b>Materials Due @ 5:</b> <b>Bid Opening Deadline:</b> <b>Scan Deadline @ noon:</b> <b>Req to Sched Due @5:</b> <b>Televised:</b> <b>Attorney Attends:</b>	<b>December 28, 2004</b> <b>Business/6:30 p.m.</b> <b>City Hall</b>  <b>December 14, 2004</b> <b>December 13, 2004</b> <b>December 10, 2004</b> <b>November 24, 2004</b> <b>Yes</b> <b>No</b>
		<b>Study Session</b>	
<b>Joint meeting with the Budget Committee -</b> <b>Craig - 30 min</b> <b>Parks System Master Plan Update - Dennis - 15 min</b>		<b>Leave Open</b>	
		<b>Consent Agenda</b>	
		<b>Business Meeting</b>	

<b>Meeting Date:</b> <b>Meeting Type/Time:</b> <b>Location:</b> <b>Greeter:</b> <b>Materials Due @ 5:</b> <b>Bid Opening Deadline:</b> <b>Scan Deadline @ noon:</b>  <b>Televised:</b> <b>Attorney Attends:</b>	<b>January 12, 2004</b> Special Mtg - 1 p.m. Water Bldg Auditorium  December 29, 2003 December 28, 2003 December 24, 2003  No No	<b>Meeting Date:</b> <b>Meeting Type/Time:</b> <b>Location:</b> <b>Greeter:</b> <b>Materials Due @ 5:</b> <b>Bid Opening Deadline:</b> <b>Scan Deadline @ noon:</b>  <b>Televised:</b> <b>Attorney Attends:</b>	<b>January 13, 2004</b> Business/6:30 p.m. City Hall Liz December 30, 2003 December 29, 2003 December 26, 2003  Yes Yes	<b>Meeting Date:</b> <b>Meeting Type/Time:</b> <b>Location:</b> <b>Greeter:</b> <b>Materials Due @ 5:</b> <b>Bid Opening Deadline:</b> <b>Scan Deadline @ noon:</b>  <b>Televised:</b> <b>Attorney Attends:</b>	<b>January 20, 2004</b> Workshop/5:00 p.m. City Hall  January 6, 2004 January 5, 2004 January 2, 2004  No No
		Study Session			
<b>Goal Setting Meeting</b>  Note meeting location listed above.		Bull Mountain Annexation - Subcommittee Discussion - Jim - 20 min. Consent Agenda Approve Budget Amendment #13 - Fund Vehicle Replacements - Bldg. - Tom I Appoint Planning Commission & Tree Board Members - RES - Susan a. LCRB: On-line Lien Search System Contract - Michelle b. Amend Res 03-25 -Increase Lien Search Fees - RES - Michelle c. Budget Amendment #14- On-line Lien Search System Funding - RES - Michelle Budget Amendment #15- Replacement of Police Vehicles Carry Over Funds - RES - Craig LCRB - Amend Engineering Design Svcs. Design Contract - Gaarde St. - Gus/Vannie LCRB - Approve Purchase of Three Ford Ranger Pick Up Trucks - Joe B. IGA - Oregon Department of Transportation - Bill D. Budget Amendment #16 - Right-of-Way Program Coordinator Position - Engineering Dept. Budget Amendment #17 - Fund Additional Inspection Costs-Increased Bldg. Activity - Tom Exemption from Competitive Bidding for Shelving for New Library - RES - Joe B		Transportation Strategic Planning  <b>NOTE: THIS MEETING IS NOW A STRATEGIC PLANNING WORKSHOP          NO OTHER ITEMS TO BE SCHEDULED.          ALSO NOTE CHANGE IN MEETING TIME - STARTS AT 5 PM</b>	
		Business Meeting			
		Vision Update for 2003 - Liz/Loreen - 20 min			

<b>Meeting Date:</b>	<b>January 27, 2004</b>	<b>Meeting Date:</b>	<b>February 10, 2004</b>
Meeting Type/Time:	Business/6:30 p.m.	Meeting Type/Time:	Business/6:30 p.m.
Location:	City Hall	Location:	City Hall
Greeter:		Greeter:	Gus
Materials Due @ 5:	January 13, 2004	Materials Due @ 5:	January 27, 2004
Bid Opening Deadline:	January 12, 2004	Bid Opening Deadline:	January 26, 2004
Scan Deadline @ noon:	January 9, 2004	Scan Deadline @ noon:	January 23, 2004
Televised:	Yes	Televised:	Yes
Attorney Attends:	No	Attorney Attends:	Yes
Study Session		Study Session	
Councilor Moore will be absent. New Library Report - Margaret (Placeholder) Exec.Session - Labor Relations - Sandy - 30 min. Skatepark Com. Update - R. Carlson - 15 min. Discussion about Hearings Officer - Dick B.		Exec.Session - Labor Relations - Sandy - 20 min. Library Construction Status - Margaret - 20 min Skate Park Task Force Update - Dan - 10 min. Council Vacancy Discussion	
Consent Agenda		Consent Agenda	
LCRB - Award Bid for ASR Production Well and Test Well - Brian R.			
Business Meeting		Business Meeting	
Council Goal Update (Craig Dirksen) New Library Update - PPT- Margaret - 15 min Annual Review of the Community Assessment Program - Liz - 30 min Clean Water Services Annexation - QJPH - ORD - Matt S. - 15 min. Temporary A-Frames in Residential Zones Sign Code Amendment - Morgan Billboards & Freestanding Freeway Oriented Signs Code Amendment - Brad - 20 min. Finalize Bull Mountain Annexation Plan - Formation of Subcommittees - Jim - 20 min.		New Library Update - Margaret - 15 min. (Standing Item - first meeting of month scheduled 12-22-03) Council Vacancy Discussion Skate Park Task Force Update - Rich Carlson - 15 min. Amend Engineering Design Services Contract on the 121st Avenue Improvement Project - Gus/ Vannie - 10 min (LCRB) Bull Mountain Subcommittee Finalization - Jim - 15 min.	
Bull Mountain Annexation Subcommittees			

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Reappoint Katherine Meads and Judy Munro to the Planning Commission

PREPARED BY: Susan Koepping EKM DEPT HEAD OK Wah CITY MGR OK Wah

ISSUE BEFORE THE COUNCIL

Shall Katherine Meads and Judy Munro be reappointed to serve on the Planning Commission ?

STAFF RECOMMENDATION

Adopt the attached resolution reappointing Katherine Meads and Judy Munro to the Planning Commission.

INFORMATION SUMMARY

Katherine Meads was initially appointed as alternate to the Planning Commission on December 16, 2003. She was appointed as a member of the commission to complete the term vacated by the resignation of Glenn Mores in February 2004. Judy Munro was appointed to the Planning Commission in December 2000 for an initial four-year term. Both are eligible for reappointment at this time.

OTHER ALTERNATIVES CONSIDERED

Postpone the appointment.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Goal: City will maximize the effectiveness of the volunteer spirit to accomplish the greatest good for our community.

ATTACHMENT LIST

Resolution to reappoint Ms. Meads and Ms. Munro  
Biographical information on both appointees.

FISCAL NOTES

There is no cost associated with this action.

CITY OF TIGARD, OREGON

RESOLUTION NO. 04-\_\_

A RESOLUTION TO REAPPOINT KATHERINE MEADS AND JUDY MUNRO TO THE PLANNING COMMISSION

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WHEREAS, Katherine Meads is currently a member of the Planning Commission completing a term vacated by Glenn Mores, and

WHEREAS, Judy Munro is currently a member of the Planning Commission completing an initial four-year term, and

WHEREAS, Ms. Meads has expressed interest in serving a four-year term and Ms. Munro has expressed interest in serving a second four-year term, and

WHEREAS, both members are eligible for another term on Planning Commission, and

WHEREAS, Ms. Meads and Ms. Munro were interviewed by the Mayor's Appointments Advisory Committee in October, 2004

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: Katherine Meads is appointed to the Planning Commission to an initial four-year term which will begin January 1, 2005 and which will end December 31, 2009.

SECTION 2: Judy Munro is appointed to a second four-year term which will begin January 1, 2005 and end December 31, 2009.

SECTION 3: This resolution is effective immediately upon passage.

PASSED: This \_\_\_\_\_ day of \_\_\_\_\_ 2004.

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Mayor - City of Tigard

ATTEST:

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City Recorder - City of Tigard

**Biographical information on Planning Commission appointees**  
**November 9, 2004**

**Katherine Meads** resides in the northeast section of Tigard, and has been a Tigard resident for ten years. She attended public schools in Portland, and also attended Lewis and Clark and the University of Oregon. She is a senior designer with an engineering firm, and is actively involved in the community including the Tualatin Valley Community Band.

**Judy Munro** lives not far from Summerlake Park and has been a Tigard resident for thirteen years. She is employed as a facilities manager. Ms. Munro's community involvement includes a variety of service to the Tigard community, the Oregon zoo and assisting children who are learning to read.

AGENDA ITEM # 3.4  
FOR AGENDA OF November 9, 2004

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE A Resolution Setting Policy on Per Diem Allowances for the City Council and Executive Staff When Traveling for More than One Day on Official Business of the City

PREPARED BY: Michelle Wareing DEPT HEAD OK OK CITY MGR OK Wah

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ISSUE BEFORE THE COUNCIL

Should the City Council approve a resolution that modifies the policy on per diem allowances for the City Council and Executive Staff when traveling on official business of the City?

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STAFF RECOMMENDATION

Adopt the resolution.

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INFORMATION SUMMARY

In 2001, Council adopted a policy on per diem allowances for the City Council and Executive Staff when attending national conferences. The purpose of the policy was to identify and provide guidelines with regard to expenditures incurred by the City Council and Executive Staff members while attending national conferences. The policy set per diem rates at \$40 per day.

The IRS states that per diem rates must be at or less than the Federal per diem rates to be fully tax free. The Federal per diem rates differ for each city and there are many cities that have Federal per diem rates below \$40. Since national conferences can be held in any city, it is likely that the City's policy per diem of \$40 could potentially exceed the national conference city's Federal per diem rate. This situation would make any portion above the city's Federal per diem rate taxable to the Council member or employee. The taxable amount would have to be added to the employee's pay check or the Council member's quarterly stipend to have the appropriate taxes withheld.

Current policy allows per diem only for national conferences. Any other travel that is on behalf of the City does not allow for per diem, but instead reimbursement of actual, substantiated expenditures. This creates two different sets of rules for City Council and Executive Staff members to follow. It is recommended that City Council and Executive Staff members receive per diem when traveling for more than one day on official business of the City. .

To better adhere to IRS rules and to set one comprehensive policy, it is recommended that a new policy be adopted which would set the per diem amount for City Council and Executive Staff members while traveling for more than one day on official business of the city at the Federal per diem rate for the destination city, including travel days. If the City Council or Executive Staff member prefers reimbursement of expenditures, they will need to keep actual receipts for substantiation and the total reimbursement amount per day may not exceed the Federal per diem rate for the destination city. Currently, the limit for reimbursement is set at \$40.



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OTHER ALTERNATIVES CONSIDERED

Do not adopt the resolution

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VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

N/A

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ATTACHMENT LIST

Resolution

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FISCAL NOTES

Expenditures would be capped at the Federal per diem rate for the destination city for meals and incidental expenses (not including registration and lodging) for any City Council or Executive Staff member that is traveling for more than one day on official business of the City.

CITY OF TIGARD, OREGON

RESOLUTION NO. 04-\_\_\_\_\_

A RESOLUTION WHICH SUPERSEDES RESOLUTION NO. 01-60 AND SETS POLICY ON PER DIEM ALLOWANCES FOR THE CITY COUNCIL AND EXECUTIVE STAFF WHEN TRAVELING FOR MORE THAN ONE DAY ON OFFICIAL BUSINESS OF THE CITY.

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WHEREAS, Resolution No. 01-60 set a per diem rate of \$40 per day and limited receipt of per diem to national conferences; and

WHEREAS, the IRS states that per diem rates must be at or less than the Federal per diem rates to be fully tax free; and

WHEREAS, Federal per diem rates differ for each city and that many cities have Federal per diem rate below \$40; and

WHEREAS, it is desired to adhere to the IRS rules regarding the taxability of expenditures incurred by the City Council and Executive Staff members when traveling for more than one day on official business of the City; and

WHEREAS, the purpose of this resolution is to identify and provide guidelines with regard to expenditures incurred by the City Council and Executive Staff members when traveling for more than one day on official business of the City; and

WHEREAS, the policy stated herein is intended to provide a reasonable method for payment of necessary expenses incurred by the City Council and Executive Staff members when traveling for more than one day on official business of the City and adhering to IRS rules.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1:       Option 1 – A per diem amount will be allowed for City Council and Executive Staff members traveling for more than one day on official business of the City at the amount equal to the Federal per diem rate for the destination city, including travel days. Said amount is to pay for authorized business expenses relating to travel expenses incurred other than those expenses relating to transportation and lodging. No receipts are required for per diem payment.

SECTION 2:       Option 2 – If a per diem amount is not requested by a City Council or Executive Staff member who instead chooses to keep a record and supply receipts of expenditures, a limit that is equal to the Federal per diem rate for the destination city for such expenses shall be imposed when traveling for more than one day on official business. Any advanced funds that were not expended or supported by receipts shall be returned to the City. If a receipt is not readily available for incidental expenses that are less than \$10 (including bellman, tips for services and the like), then concurrent documentation and certification can be provided by the City Council or Executive Staff member and allowed as an expense to be paid by the City.

SECTION 3: This resolution is effective immediately upon passage.

PASSED: This \_\_\_\_\_ day of \_\_\_\_\_ 2004.

\_\_\_\_\_  
Mayor - City of Tigard

ATTEST:

\_\_\_\_\_  
Deputy City Recorder - City of Tigard

AGENDA ITEM # 3.5  
FOR AGENDA OF November 9, 2004

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE A RESOLUTION APPROVING BUDGET AMENDMENT #4 TO THE FY 2004-05 BUDGET TO INCREASE APPROPRIATIONS FOR FUNDING OF A FIREWALL FOR THE CITY'S COMPUTER NETWORK

PREPARED BY: Gary Ehrenfeld/Tom Imdieke DEPT HEAD OK cl CITY MGR OK WA

ISSUE BEFORE THE COUNCIL

Should the City Council approve a budget amendment to the FY 2004-05 Adopted Budget to fund the purchase of a firewall hardware and software for the City's computer network?

STAFF RECOMMENDATION

Staff recommends approval of this budget amendment.

INFORMATION SUMMARY

The City of Tigard's computer network is connected to the Public Community Network along with 19 other government agencies. This sharing of this network backbone is very beneficial to the City. At the present time, there is not a firewall that protects the City's network. The City signed an Intergovernmental Agreement (IGA) to use the Public Community Network. There is a requirement in the IGA that all government agencies that use the backbone will install and maintain a firewall. There was also a security audit completed on the backbone and in the report it highly recommends that all agencies install a firewall as soon as possible. Information Technology staff believes it would be in the best interest of the City to purchase and install this firewall as soon as possible.

OTHER ALTERNATIVES CONSIDERED

None

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

N/A

ATTACHMENT LIST

Resolution, with Exhibit A, approving Budget Amendment #4 to the FY 2004-05 Adopted Budget.

FISCAL NOTES

This action will transfer a total of \$23,000 from the Central Services Fund Contingency for the funding of the firewall.

CITY OF TIGARD, OREGON

RESOLUTION NO. 04-\_\_\_\_\_

A RESOLUTION APPROVING BUDGET AMENDMENT #4 TO THE FY 2004-05 BUDGET TO INCREASE APPROPRIATIONS FOR FUNDING OF A FIREWALL FOR THE CITY'S COMPUTER NETWORK

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WHEREAS, the City's computer network is connected to the Public Community Network under an Intergovernmental Agreement (IGA) with 19 other governmental agencies; and

WHEREAS, the IGA requires that all participating jurisdictions install and maintain a firewall for the protection of the network; and

WHEREAS, the City currently does not have a firewall that protects the City's network and there is a need to purchase and install a firewall as soon as possible.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The FY 2004-05 Adopted Budget of the City of Tigard is hereby amended as shown in Attachment A to this resolution to fund the purchase and installation of a firewall for the City's computer network.

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This \_\_\_\_\_ day of \_\_\_\_\_ 2004.

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Mayor - City of Tigard

ATTEST:

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City Recorder - City of Tigard

Attachment A  
FY 2004-05  
Budget Amendment # 4

FY 2004-05 Revised Budget	Budget Amendment # 4	Revised Revised Budget
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**Central Services Fund**

Resources

Beginning Fund Balance	\$905,500		\$905,500
Interest Earnings	18,100		18,100
Transfers In from Other Funds	4,488,355		4,488,355
<b>Total</b>	<b>\$5,411,955</b>	<b>\$0</b>	<b>\$5,411,955</b>

Requirements

Community Service Program	\$0		\$0
Public Works Program	0		0
Development Services Program	0		0
Policy & Administration Program	3,710,840	23,000	3,733,840
General Government	365,120		365,120
Program Expenditures Total	\$4,075,960	\$23,000	\$4,098,960
Debt Service	\$0		\$0
Capital Improvements	\$0		\$0
Transfers to Other Funds	\$96,945		\$96,945
Contingency	\$691,768	(\$23,000)	\$668,768
<b>Total Requirements</b>	<b>\$4,864,673</b>	<b>\$0</b>	<b>\$4,864,673</b>
Ending Fund Balance	547,282		547,282
<b>Grand Total</b>	<b>\$5,411,955</b>	<b>\$0</b>	<b>\$5,411,955</b>

AGENDA ITEM #: 3.6  
FOR AGENDA OF: November 9, 2004

CITY OF TIGARD, OREGON  
LOCAL CONTRACT REVIEW BOARD (LCRB) AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Award of contract for heating, ventilation, and air conditioning (HVAC) maintenance service.

PREPARED BY: Dan Plaza

DEPT HEAD OK: 

CITY MGR OK: 

ISSUE BEFORE THE LOCAL CONTRACT REVIEW BOARD

Shall the Local Contract Review Board (LCRB) award a contract for HVAC maintenance to the best responsive proposer to the City's Request for Proposal (RFP) process?

STAFF RECOMMENDATION

Staff recommends that the LCRB award a contract for HVAC maintenance to Reitmeier Mechanical, whom staff determined to be the best responsive proposer to the City's RFP process, and authorize staff to finalize the contract with the vendor

INFORMATION SUMMARY

With facilities at eight different addresses throughout the City, with multiple buildings at a number of the addresses, the City has a consistent need for HVAC maintenance services. The required services include general maintenance, repairs, and possible new installations all of which are directed by the Property Management Division. Staff has determined it to be beneficial and cost-effective to outsource this work rather than perform the services in-house. The City previously had an Intergovernmental Agreement with Tigard-Tualatin School District for HVAC maintenance services, however it was determined that the school district did not have the proper qualified personnel to service the City's system to the level necessary.

In response to these needs, staff issued a formal Request for Proposals on September 13, 2004, for HVAC maintenance services. As part of the RFP process, a pre-proposal conference and facilities walk-through was conducted on September 21, 2004. The pre-proposal meeting was mandatory to all vendors that were considering submitting a proposal for the work and eight service providers attended the meeting.

Proposals were due on October 5, 2004, with two vendors submitting proposals (a third vendor formally declined to submit a proposal). Reitmeier Mechanical and Advantage Heating and Air Conditioning were the two vendors to submit proposals. Reitmeier Mechanical scored highest in all areas of the evaluation including Firm Qualifications, Project Understanding and Approach, and Fee Evaluation (Reitmeier clearly has the lowest fee requirement). Staff conducted a formal review of the submitted proposals using the criteria detailed in the RFP documents and has determined Reitmeier Mechanical to be the best responsive proposer and recommends an award of maintenance services contract to Reitmeier Mechanical.

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OTHER ALTERNATIVES CONSIDERED

1. Do not approve the purchase of HVAC maintenance services from Reitmeier Mechanical.
- 

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

None.

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ATTACHMENT LIST

None.

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FISCAL NOTES

The cost of the services is estimated to be \$20,000 annually and the contract may be extended on an annual basis to run for a total of five years for a total value of \$100,000. The services will be funded from the Property Management Fund (650-2160-601000).



AGENDA ITEM # 4  
FOR AGENDA OF November 9, 2004

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Update on Youth Advisory Council and Youth Forum

PREPARED BY: Elizabeth Newton WV DEPT HEAD OK WV CITY MGR OK WV

ISSUE BEFORE THE COUNCIL

Progress report on the Youth Advisory Council (YAC) and Youth Forum.

STAFF RECOMMENDATION

No action necessary, information only.

INFORMATION SUMMARY

The Tigard Youth Advisory Council has completed its first year and is planning their activities and programs for the coming year. Members of the YAC will be on hand to report on the last year's activities and what's planned for the coming year.

In addition, staff will update Council on the activities of the Youth Forum.

OTHER ALTERNATIVES CONSIDERED

N/A

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

N/A

ATTACHMENT LIST

N/A

FISCAL NOTES

There is no cost associated with this action.

AGENDA ITEM # 5  
FOR AGENDA OF November 9, 2004

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Meeting with Oregon Department of Transportation Region 1 Manager, Matthew Garrett

PREPARED BY: A.P. Duenas DEPT HEAD OK A.P. Duenas CITY MGR OK WMA

ISSUE BEFORE THE COUNCIL

Followup meeting with Matthew Garrett, ODOT (Oregon Department of Transportation) Region 1 Manager, to discuss various issues regarding Hall Boulevard, notification and coordination of upcoming ODOT projects, and ODOT support for major projects that could benefit both Tigard and ODOT.

STAFF RECOMMENDATION

Staff recommends that Council discuss various issues regarding Hall Boulevard with Mr. Garrett and ways that the City and ODOT can move ahead towards implementation of projects on Hall Boulevard, Highway 99W and other state facilities within the City.

INFORMATION SUMMARY

One of the Council goals for calendar year 2004 is to aggressively pursue solutions to congestion of state, county and City facilities that lie within the City limits. Many of the projects needed to improve circulation within the City are under state or county jurisdiction. Council met with Matthew Garrett, ODOT Region 1 Manager, at the workshop meeting on March 16, 2004. As a newly-appointed Region Manager, this initial meeting allowed Mr. Garrett the opportunity to discuss ODOT priorities, to review the process by which projects are selected for federal funding through Metro's MTIP (Metropolitan Transportation Improvement Program) process, and the OTIA (Oregon Transportation Investment Act) project selection process. Mr. Garrett emphasized that projects considered for ODOT funding must benefit a state highway and have a local matching fund component. He also emphasized the importance of getting support in writing and otherwise from the local businesses as a significant part of any project selection process.

Since that meeting several issues have arisen which require Region 1 support to resolve. The following are some of the issues:

- Signalization of the intersection of the new Library entrance and Hall Boulevard. The signal request was originally denied by the State Traffic Engineer. The City Engineer has discussed the proposed signal with the State Traffic Engineer and based on that discussion has asked for reconsideration of that request. Region 1 supported the original request and continues to recommend approval. The approval of the signal by the State Traffic Engineer looks promising at this time.
- Safe crossing of Hall Boulevard for City staff parking at the Tigard Christian Church parking lot and for citizens in general.

- Coordination with ODOT Region 1 to ensure timely sharing of information regarding upcoming projects (both maintenance and modernization). The lack of advance notice of the paving of Hall Boulevard from Burnham Street to Bonita Road shortly after completion of the half-street improvements (including permanent pavement markings) on Hall at the Library frontage is a case in point.
- Exploration of a commitment from ODOT to improving Hall Boulevard with the intention of transferring it to City jurisdiction.

The City staff and ODOT Region 1 staff have established a schedule to meet periodically to discuss upcoming projects and share information. The commitment to be proactive in discussing and resolving current and potential issues in a timely manner must be present at the top management level down to the staff that deals with the day-to-day operations. This meeting with Mr. Garrett continues the dialogue necessary to keep that coordination at a high priority with both ODOT and the City.

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#### OTHER ALTERNATIVES CONSIDERED

Not applicable

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#### VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Installation of a signal system at the Hall/New Library entrance would allow for control of both vehicular and pedestrian traffic. This project would meet the Tigard Beyond Tomorrow goal of *Improve Traffic Safety*. Major projects to improve state facilities in the City would meet the Tigard Beyond Tomorrow goal of *Improve Traffic Flow*.

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#### ATTACHMENT LIST

None

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#### FISCAL NOTES

No fiscal requirements at this time. Projects initiated and implemented would be funded through the City's Capital Improvement Program formulation process.

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Annexation (ZCA) 2004-00002 - Alpine View Annexation

PREPARED BY: Gary Pagenstecher DEPT HEAD OK [Signature] CITY MGR OK [Signature]

ISSUE BEFORE THE COUNCIL

Should the Tigard City Council annex four (4) parcels of land consisting of approximately 8.69 acres of land?

STAFF RECOMMENDATION

Adopt the attached Ordinance annexing the subject properties.

INFORMATION SUMMARY

Six land owners and electors have petitioned for and consented to annexation to the City of Tigard. The annexation request consists of four (4) parcels totaling 8.70 acres that currently exist in unincorporated Washington County. The parcels are within the City of Tigard's urban service area. The properties are located at 13255, 13267, 13275, and 13279 SW Bull Mountain Road, and are described as WCTM 2S109AB, tax lots 700, 800, 900, and 1000. The properties are currently developed with single-family dwellings and outbuildings.

Staff has notified all affected agencies and interested parties of the proposed annexation. There was no objection to the annexation by those who returned comments. Staff has reviewed the proposal for compliance with Metro Chapter 3.09, the Comprehensive Plan Policies, the Tigard Development Code, and the Oregon Revised Statutes. As indicated in the staff report to City Council, the proposed annexation meets the applicable standards. Pursuant to the Tigard Urban Service Agreement and Chapter 18.320.020.C of the Community Development Code, the Comprehensive Plan designation and the City's zoning is automatically applied to property upon approval of the annexation by Council.

OTHER ALTERNATIVES CONSIDERED

Deny the request.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

"Growth and Growth Management", Goal #2 – Urban services are provided to all citizens within Tigard's urban growth boundary and recipients of services pay their share.

ATTACHMENT LIST

- Attachment 1:** Ordinance approving the annexation.  
Exhibit A: Legal descriptions of the subject properties.  
Exhibit B: Vicinity map of the subject properties.  
**Attachment 2:** Staff report to the Council.

FISCAL NOTES

Not applicable. The applicant is responsible for paying the Metro processing fee and has already paid the fees necessary to administer the application by planning staff.

**CITY OF TIGARD, OREGON**

**ORDINANCE NO. 04-**

**AN ORDINANCE ADOPTING FINDINGS AND CONCLUSIONS TO APPROVE AN ANNEXATION (ZCA) 2004-00002/ALPINE VIEW ANNEXATION AND WITHDRAWING PROPERTY FROM THE TIGARD WATER DISTRICT, WASHINGTON COUNTY ENHANCED SHERIFF'S PATROL DISTRICT, WASHINGTON COUNTY URBAN ROADS MAINTENANCE DISTRICT, WASHINGTON COUNTY STREET LIGHTING DISTRICT #1, CLEAN WATER SERVICES, AND THE WASHINGTON COUNTY VECTOR CONTROL DISTRICT.**

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**WHEREAS**, the City of Tigard is authorized by ORS 222.120(4)(B) and 222.170 to initiate an annexation upon receiving consent in writing from a majority of the electors registered in the territory proposed to be annexed and written consent from owners of more than half the land in the territory proposed to be annexed; and

**WHEREAS**, the City of Tigard is authorized by ORS 222.120(5) and 222.520 to withdraw properties which currently lie within the boundary of the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District upon completion of the annexation; and

**WHEREAS**, the Tigard City Council held a public hearing on November 9, 2004 to consider the annexation of four (4) parcel of land consisting of 8.70 acres and withdrawal of said property from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District; and

**WHEREAS**, pursuant to ORS 222.520(2) the City is liable to the Water District for certain debt obligations, however, in this instance the Water District has no debt for the City to assume, therefore, no option regarding the assumption of debt needs to be made; and

**WHEREAS**, pursuant to Metro 3.09, ORS 222.120 and 222.524, notice was given and the City held a public hearing on the issue of the annexation into the City and withdrawal of the annexed property from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District on November 9, 2004; and

**WHEREAS**, pursuant to ORS 222.524, the City must declare the withdrawal of annexed properties from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District by Ordinance; and

**WHEREAS**, the Tigard Urban Service Agreement and Community Development Code state, that upon annexation, the zone is automatically changed to the City zoning most closely conforming to the County zoning; and

**WHEREAS**, the current and proposed zoning district is R-7, therefore, no zone change is necessary; and

**WHEREAS**, the annexation has been processed in accordance with the requirements of Metro 3.09 and has been reviewed for compliance with the Tigard Community Development Code and the Comprehensive Plan and the annexation substantially addresses the standards in Metro 3.09 regulating annexations; and

**WHEREAS**, the City Council has carefully considered the testimony at the public hearing and determined that withdrawal of the annexed properties from the applicable service districts is in the best interest of the City of Tigard.

**NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:**

**SECTION 1:** The Tigard City Council hereby annexes the parcels described in the attached **Exhibit "A"** and shown in **Exhibit "B"** and withdraws said parcels from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District.

**SECTION 2:** This ordinance shall be effective 30 days after its passage by the Council, signature by the Mayor and posting by the City Recorder.

**SECTION 3:** The City Recorder is hereby directed to file certified copies of the Ordinance with Metro for administrative processing.

**SECTION 4:** Pursuant to ORS 222.120(5), the effective date of the withdrawal of the property from the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District shall be the effective date of this annexation.

**SECTION 5:** Pursuant to ORS 222.465, the effective date of the withdrawal of this property from the Tigard Water District shall be July 1, 2005.

**SECTION 6:** In accordance with ORS 222.180, the annexation shall be effective upon filing with the Secretary of State.

**SECTION 7:** Pursuant to 18.320.020.C of the Community Development Code, the comprehensive plan and zoning designation placed on the properties shall be automatically applied upon approval of the Council.

**PASSED:** By \_\_\_\_\_ vote of all Council members present after being read by number and title only, this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Jane McGarvin, Deputy City Recorder

**APPROVED:** By Tigard City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Craig Dirksen, Mayor

Approved as to form:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date

**EXHIBIT "A"**  
**CITY OF TIGARD**  
**ANNEXATION**  
**LEGAL DESCRIPTION**

Revised September 22, 2004

**THE PURPOSE OF THIS LEGAL DESCRIPTION IS TO COMBINE IN ONE DOCUMENT THE BOUNDARIES OF THOSE LANDS DESCRIBED IN DEED DOCUMENT No. 89-101850, 90-41679 AND 97-119775 CONTAINED HEREIN FOR ANNEXATION TO THE CITY OF TIGARD.**

TRACT OF LAND SITUATED IN THE N.E. QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 1 WEST, OF THE WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 9, BEING MARKED BY A 3 1/4 INCH DIAMETER ALUMINIUM DISK; THENCE ALONG THE NORTH LINE OF SECTION 9, S 89°53'02" E 326.62 FEET TO THE NORTHWEST CORNER OF THAT LAND AS DESCRIBED IN DEED BOOK 803, PAGE 480; THENCE ALONG THE WEST LINE OF LAST SAID DEED AND THE EAST LINE OF THE DULY RECORDED PLAT OF "THREE MOUNTAIN ESTATES", S 00°00'08" E 450.00 FEET TO THE NORTHWEST CORNER OF THAT LAND AS DESCRIBED IN DEED DOCUMENT No. 89-101850, AND THE "TRUE POINT OF BEGINNING" OF THIS DESCRIPTION; THENCE ALONG THE NORTH LINE OF SAID DOCUMENT No. 89-101850, S 89°53'02" E 291.86 FEET TO THE NORTHEAST CORNER OF LAST SAID DEED; THENCE ALONG THE EAST LINE OF LAST SAID DEED S 00°04'52" E 248.00 FEET TO THE NORTHWEST CORNER OF THAT LAND DESCRIBED IN DEED DOCUMENT No. 90-041679; THENCE ALONG THE NORTH LINE OF LAST SAID DEED N 89°51'54" E 250.00 FEET TO AN ANGLE POINT IN THE NORTH LINE OF SAID DEED; THENCE CONTINUING ALONG SAID NORTH LINE S 89°45'47" E 19.65 FEET TO THE N.E. CORNER OF SAID DOCUMENT No. 90-041679, BEING ON THE WEST LINE OF THE DULY RECORDED PLAT OF "RAVEN RIDGE"; THENCE ALONG THE EAST LINE OF LAST SAID DEED AND ALONG THE WEST LINE OF SAID "RAVEN RIDGE" AND THE DULY RECORDED PLAT OF "FORAN", S 01°01'12" E 409.45 FEET TO THE S.E. CORNER OF DOCUMENT No. 90-041679; THENCE ALONG THE SOUTH LINE OF LAST SAID DEED S 89°52'48" W 294.21 TO AN ANGLE POINT IN SAID SOUTH LINE; THENCE CONTINUING ALONG SAID SOUTH LINE S 00°04'52" E 431.08 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF S.W. BULL MOUNTAIN ROAD, THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE N 60°59'55" W 28.61 FEET TO THE S.E. CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED BOOK 871, PAGE 544; THENCE ALONG THE WEST LINE OF SAID DOCUMENT NO. 90041679 N 00°04'52" W 406.90 FEET TO

THE S.E. CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED IN DEED DOCUMENT No. 97-119775; THENCE ALONG THE SOUTH LINE OF LAST SAID TRACT N 89°53'02" W 242.78 FEET TO THE S.W. CORNER OF SAID DOCUMENT NO. 97-119775; THENCE ALONG THE WEST LINE OF SAID DOCUMENT NUMBERS 97-11975 AND 89-10185 AND ALONG THE EAST LINE OF AFORE SAID "THREE MOUNTAIN ESTATES", N 00°00'08" W 667.97 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING: 7.25 ACRES



**Description:**

A portion of that tract of land conveyed to Willard F. Weeks, et ux, by Deed recorded June 9, 1955 in Book 370, Page 127, Washington County Oregon, Deed Records, said portion being more particularly described as follows:

Beginning at an iron pipe at the Northwest corner of that tract of land conveyed to Willard F. Weeks, et ux, by Deed recorded June 9, 1955 in Book 370, Page 127, Washington County, Oregon, Deed Records, which iron pipe is North 89° 36' East a distance of 618.1 feet and South 0° 35' East a distance of 697.7 feet from the North one-quarter section corner of Section 9, Township 2 South, Range 1 West, of the Willamette Meridian, in the County of Washington and State of Oregon; thence running South 0° 30' 50" East a distance of 459.50 feet to the Northwest corner of that tract of land conveyed to William H. Poole, et ux, by Deed recorded April 16, 1963 in Book 484, Page 517, said Deed Records; thence North 89° 31' East along the North line of said Poole tract a distance of 103.37 feet, more or less, to the most Northerly Northeast corner of said Poole tract; thence South 0° 29' West along the East line of said Poole tract a distance of 100 feet; thence North 89° 31' East along the North line of said Poole tract a distance of 33.30 feet; thence South 01° 42' West along the East line of said Poole tract a distance of 162.35 feet, more or less, to the Northwest corner of that tract of land conveyed to Roy B. Wolfe, et ux, by Deed recorded January 8, 1968 in Book 675, Page 570, said Deed Records; thence North 89° 31' 30" East along the North line of said Wolfe tract a distance of 150 feet, more or less, to the East line of said Weeks tract; thence North 0° 29' West along the East line of said Weeks tract a distance of 721.48 feet to the Northeast corner thereof; thence South 89° 31' 30" West along the North line of said Weeks tract a distance of 269.6 feet to the point of beginning.

EXCEPTING THEREFROM the North 409.50 feet, when measured parallel to the North line of the aforementioned Weeks tract.

TOGETHER WITH the Easterly 25 feet of the following described property lying South of the Westerly extension of a line that runs 409.50 feet South of and parallel with the North line of that parcel conveyed to Willard F. Weeks, et ux, by Deed recorded in Book 370, Page 127, Washington County Oregon Records:

Beginning at the stone marking in the North one-quarter corner of Section 9, Township 2 South, Range 1 West of the Willamette Meridian, in the County of Washington and State of Oregon; thence South 0° 35' East a distance of 1233.5 feet along the North and South one-quarter line through said Section 9, to an iron bar in the center of Bull Mountain Road; thence South 61° 27' East, a distance of 375.36 feet along the center of said road to the Southeast corner of a tract

Dated May 21, 1993

2912139

EDWIN E. MURPHY  
13256 S.W. BULL MTN. RD.  
TIGARD, OR 97224

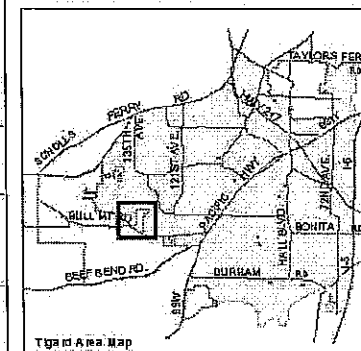
conveyed to S.E. Lasselle, et al, by Deed recorded June 20, 1944 in Book 231, Page 673, Deed Records, and the true point of beginning of the herein described parcel; thence North 00° 01' East along the East line of said Lasselle tract, 22.84 feet to an iron rod; thence continuing North 00° 01' East along the East line of said Lasselle tract, 619.84 feet to an iron rod; thence North 89° 02' East 290.30 feet to an iron rod; thence South 00° 01' West along the West line of tract conveyed to Jesse R. Moler by Deed recorded in Book 99, Page 335, a distance of 809.13 feet to an iron rod; thence continuing South 00° 01' West along the West line of said Moler tract, 22.84 feet to the center of Bull Mountain Road; thence North 61° 07' West along the center of Bull Mountain Road, to the true place of beginning, except that portion lying in Bull Mountain Road.

*CONTAINING 1.45 ACRES*

ZCA2004-00002

# ALPINE VIEW ANNEXATION

Shaded area indicates  
inside the city limits.



0 100 200 300 400 500 Feet

1"=389 feet

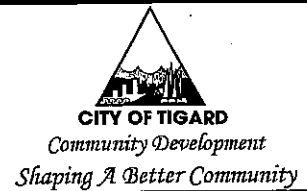


Information on this map is for general location only and should be verified with the Development Services Division  
13125 SW Hall Blvd  
Tigard, OR 97223  
(503) 839-4171  
<http://www.ci.tigard.or.us>

## EXHIBIT B

# SITE

# STAFF REPORT TO THE CITY COUNCIL FOR THE CITY OF TIGARD, OREGON



## SECTION I. APPLICATION SUMMARY

**FILE NAME:** ALPINE VIEW ANNEXATION  
**CASE NO.:** Zone Change Annexation (ZCA) ZCA2004-00002

**APPLICANT:** Colton/Fettig Company **OWNER:** Robert & Carol Deuth  
 1310 SW 17<sup>th</sup> Avenue 13275 SW Bull Mountain Road  
 Portland, OR 97201 Tigard, OR 97224

**OWNER:** Jeffrey Beaudoin **OWNER:** Edward & Sandra Metzler  
 13279 SW Bull Mountain Road 13267 SW Bull Mountain Road  
 Tigard, OR 97224 Tigard, OR 97224

**OWNER:** Edwin E. Murphy  
 13255 SW Bull Mountain Road  
 Tigard, OR 97224

**REQUEST:** The applicants are requesting to annex four (4) parcels consisting of approximately 8.70 acres of land in total into the City of Tigard.

**LOCATION:** 13255, 13267, 13279, 13275 SW Bull Mountain Road; WCTM 2S109AB, Tax Lots 700, 800, 900, and 1000. The project is located on the north side of SW Bull Mountain Road at SW 133<sup>rd</sup> Avenue.

**CURRENT ZONING DESIGNATION:** R-7, Medium Density Residential. The R-7 zoning district is designed to accommodate attached single-family homes, detached single-family homes with or without accessory residential units, at a minimum lot size of 5,000 square feet, and duplexes, at a minimum lot size of 10,000 square feet. Mobile home parks and subdivisions are also permitted outright. Some civic and institutional uses are also permitted conditionally.

**APPLICABLE REVIEW CRITERIA:** Community Development Code Chapters 18.320 and 18.390; Comprehensive Plan Policies 2 and 10; Metro Code Chapter 3.09; and ORS Chapter 222.

## SECTION II. STAFF RECOMMENDATION

Staff recommends that the Council find that the proposed annexation will not adversely affect the health, safety and welfare of the City. Therefore, staff recommends **APPROVAL** of the annexation by adoption of the attached Ordinance.

### **SECTION III. BACKGROUND INFORMATION**

#### **Site information and proposal description:**

The applicants have requested annexation of four properties located north of SW Bull Mountain Road which include access to Bull Mountain Road in the vicinity of the SW 133<sup>rd</sup> Avenue intersection. The area to be annexed totals 8.69 acres. Each of the four properties is currently developed with a single-family residence.

#### **Vicinity Information:**

The subject parcels, together with eleven other adjacent parcels, form an unincorporated "pocket" bounded on three sides by the City of Tigard. Adjacent subdivisions located within The City of Tigard include Raven Ridge and Foran to the south and Three Mountain Estates to the north. If the subject parcels are annexed, six of the eleven remaining parcels in the "pocket" would form an island of unincorporated land surrounded by the City of Tigard.

### **SECTION IV. APPLICABLE REVIEW CRITERIA AND FINDINGS**

**The relevant criteria in this case are Tigard Comprehensive Plan Policies 2.1.1, 10.1.1, 10.1.2, and; Tigard Community Development Code Chapter 18.320.**

Staff has determined that the proposal is consistent with the relevant policies of the Comprehensive Plan based on the following findings:

#### **Policy 2.1.1:**

This Policy requires an ongoing citizen involvement program. Interested parties and surrounding property owners within 500 feet have been notified of the public hearing and notice of the hearing has been published in a newspaper of general circulation. The site has been posted since September 22, 2004. These measures assure that citizens have been provided opportunity to be involved in the annexation process, consistent with Policy 2.1.1.

#### **Policy 10.1.1:**

This Policy requires adequate service capacity delivery to annexed parcels. The City of Tigard Police, Engineering and Water Departments, Metro Area Communications, NW Natural Gas, Tualatin Valley Fire and Rescue, Tualatin Hills Park and Recreation District, and Clean Water Services have all been notified of the annexation request and have offered no objections to it. Without objection by the above mentioned service providers, the parcels proposed to be annexed would receive adequate service capacity delivery, consistent with Policy 10.1.1.

#### **Policy 10.1.2:**

This Policy pertains to boundary criteria for annexations. The area proposed for annexation partially eliminates an existing pocket of unincorporated territory. The City of Tigard Police commented on the annexation proposal stating that they reviewed the proposal and has no objections to it. The land is located within the Tigard urban planning area and each parcel is contiguous to the city boundary. The annexation can be accommodated by the services listed in Policy 10.1.1. The annexation request is consistent with Policy 10.1.2.

Staff has determined that the proposal is consistent with the relevant portions of the Community Development Code based on the following findings:

**Section 18.320.020: This Section addresses approval standards for annexation proposals and is satisfied because:**

The applicable Comprehensive Plan Policies and Community Development Code provisions have been reviewed and satisfied as previously indicated in this report.

The property is currently zoned R-7. Because this property is in the Urban Services Area, the equivalent zoning has already been attached to the property, therefore, the property does not need to be rezoned upon annexation.

**Section 18.390.060: This Section addresses the decision-making procedure for annexation proposals (Type IV) and is satisfied because:**

Type IV procedures apply to legislative matters, which require hearings at both the Planning Commission and the City Council, except for annexations which require a hearing at City Council only. Documentation of compliance with the provisions of this section including the pre-application conference, timing of requests, application requirements, notice of hearing, and hearing process and procedures are contained in the land use file for the subject annexation request.

**Metro 3.09 requires the additional standards to be addressed in annexation decisions, in addition to the local and state review standards. These are addressed and satisfied as discussed below:**

**Consistency with the directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065;**

According to the Urban Planning Area Agreement between the City of Tigard and Washington County (November 26, 2002), "The CITY and COUNTY will be supportive of annexations to the City over time. The City shall endeavor to annex the unincorporated areas shown on Map A (Tigard Urban Services Boundary) . . ." The properties petitioned for annexation are unincorporated and located within the Tigard Urban Services Boundary. Therefore, pursuant to the Urban Planning Area Agreement, and as evidenced in the attached Ordinance, the City endeavors to annex the subject properties, consistent with applicable Urban Service Provider agreements.

**Consistency with directly applicable provisions of urban planning or other agreement, other than agreements adopted pursuant to ORS 195.065, between the affected entity and a necessary party;**

The annexation process required by the Development Code and Comprehensive Plan is consistent with the Urban Planning Agreement for annexations.

**Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans;**  
This has been discussed previously in this report and, as discussed, this criterion is satisfied.

**Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plans;**

Because the Development Code has been amended to comply with applicable Metro functional plan requirements, by complying with the Development Code and Comprehensive Plan, the annexation is consistent with the applicable functional plan and the Regional Framework plan.

**Whether the proposed changes will promote or not interfere with the timely, orderly and economic provisions of public facilities and services;**

The proposed annexation will not interfere with the provision of public facilities or services because it is adjacent to existing City limits and services. Many services have been extended to that area as a result of earlier development.

**If the proposed boundary change is for annexation of territory to Metro, a determination by Metro Council that the territory should be included in the Urban Growth Boundary shall be the primary criterion for approval;**

The subject property is already within the Metro boundaries.

**Consistency with other applicable criteria for the boundary change in question under state and local law.**

Consistency with other applicable criteria has been discussed previously in this report.

## **SECTION V. OTHER STAFF COMMENTS**

The City of Tigard Engineering, Building, Police Department, Tualatin Valley Fire and Rescue, Public Works, and Water Department have all reviewed this proposal and have offered no objections to annexation.

## **SECTION VI. AGENCY COMMENTS**

Clean Water Services, Metro Area Communications, NW Natural Gas, Tigard School District, Beaverton School District, and Washington County have had the opportunity to review the proposal and have offered no objections.

**BASED ON THE FINDINGS INDICATED ABOVE, PLANNING STAFF RECOMMENDS APPROVAL OF ZONE CHANGE ANNEXATION (ZCA) 2004-00002 - ALPINE VIEW ANNEXATION.**

PREPARED BY: Gary Pagenstecher  
Associate Planner

October 18, 2004  
DATE

APPROVED BY: Richard Bewersdorff  
Planning Manager

October 18, 2004  
DATE

AGENDA ITEM # 7  
FOR AGENDA OF November 9, 2004

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Election Results

PREPARED BY: Elizabeth Newton  DEPT HEAD OK  CITY MGR OK 

ISSUE BEFORE THE COUNCIL

Report on the results of the November 2004 General Election.

STAFF RECOMMENDATION

No action necessary – information only.

INFORMATION SUMMARY

Staff will report on the results of the November 2, 2004 General Election. If certified results are available from the County by Friday, November 5, they will be distributed to Council in the newsletter packet. However, the County has twenty (20) days after the election to certify the results, so it is unlikely certified results will be available by the meeting of November 9.

OTHER ALTERNATIVES CONSIDERED

None

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

N/A

ATTACHMENT LIST

N/A

FISCAL NOTES

There is no cost associated with this action.